

FILED: December 7, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-7104
(1:20-cv-00605-MSN-WEF)

TAMAR DEVELL HARVEY

Plaintiff - Appellant

v.

RALPH R. COLEMAN, Lieutenant; TIMOTHY W. GREEN, Unit Manager of Housing Unit 6; M.A. BAILEY, Senior Warden; GREGORY L. HOLLOWAY, Regional Administrator; DAVID A. ROBINSON, Deputy Director of the Virginia Department of Corrections; CHADWICK DOTSON, Director of the Virginia Department of Corrections; GREENVILLE CORRECTIONAL CENTER, sued jointly and severally, in their individual capacity; L. MAYS; J. HARRIS

Defendants - Appellees

and

SERGEANT HOBBS; SERGEANT WOODBURY; E.CLAY, AD Food Service Manager; SERGEANT BARNS; L.H. DELBRIDGE, Grievance Clerk of Housing Unit 7; KITCHEN MANAGER ROBINSON, Food Service; CAPTAIN BAINS; S. TAPP, Grievance Coordinator; GRIEVANCE COORDINATOR PHILLIPS; HEARINGS OFFICER PILGRAM; JANE DOE, Records Department; JANE DOE #2, Records Department; TRACEY S. RAY, Lead Warden; DR. STEVE HERRICK, Health Services Director; K. COSBY, Regional Ombudsman; HAROLD W. CLARKE; VIRGINIA DEPARTMENT OF CORRECTIONS; COMMONWEALTH OF VIRGINIA; J. JONES, Mailroom Supervisor; MAILROOM OFFICIAL WARREN; RN E. SHAW, Director of Nursing; LPN BAKER; R.S. BONNER, LPN; RN THIGPEN; ARMOR CORRECTIONAL HEALTH SERVICES, ACHS, sued jointly and severally, in their individual capacity; MS. SPATES, Correctional Officer

Defendants

O R D E R

Tamar Devell Harvey #158239, has applied to proceed without prepayment of fees and given written consent to the collection in installments of the filing fee from appellant's trust account in accordance with the terms of the Prison Litigation Reform Act, 28 U.S.C. § 1915(b)(PLRA). The court grants appellant leave to proceed without full prepayment of fees and directs that:

an initial partial fee of 20 percent of the greater of the average monthly deposits or average monthly balance for the six-month period immediately preceding the filing of the notice of the appeal be paid from appellant's trust account when funds are available; and

monthly payments of 20 percent of the preceding month's income be collected from the appellant's trust account and forwarded to the Clerk, U.S. District Court, each time the amount in the account exceeds \$10 until the filing fee has been paid in full.

Fees for this appeal shall be paid as follows:

***Total Fee: \$605**

*** Make payable to:**

"Clerk, United States Court" **(not to Clerk, Fourth Circuit)**

*** All payments shall include:**

Appeal No.: 23-7104
Civil Action No.: 1:20-cv-00605-MSN-WEF
Civil Action No.: 1:20-cv-00605-MSN-WEF

*** All payments shall be mailed to:**

Clerk, U.S. District Court
Albert V. Bryan United States Courthouse

401 Courthouse Square
Alexandria, VA 22314

In the event appellant is transferred to another institution, the balance due shall be collected and paid to the clerk by the custodian at appellant's next institution. Appellant's custodian shall notify the Clerk, U. S. District Court, in the event appellant is released from custody.

This order is subject to rescission should the court determine that appellant has had three prior cases dismissed as frivolous, malicious, or for failure to state a claim and appellant is not under imminent danger of serious physical injury.

A copy of this order shall be sent to appellant's custodian, to the Clerk, U. S. District Court, and to all parties.

For the Court--By Direction

/s/ Nwamaka Anowi, Clerk